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LEGISLATIVE ACTION

Senate

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House

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04/21/2010 04:37 PM

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Senator Altman moved the following:

Senate Amendment

Delete lines 60 - 109
and insert:

(a) "Community residential home" means a dwelling unit licensed to serve residents, ~~as defined in paragraph (d),~~ who are clients of the Department of Elderly Affairs, the Agency for Persons with Disabilities, the Department of Juvenile Justice, or the Department of Children and Family Services or ~~a dwelling unit~~ licensed by the Agency for Health Care Administration which provides a living environment for 7 to 14 unrelated residents who operate as the functional equivalent of a family, including



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14 such supervision and care by supportive staff as may be
15 necessary to meet the physical, emotional, and social needs of
16 the residents.

17 (b) "Licensing entity" or "licensing entities" means the
18 Department of Elderly Affairs, the Agency for Persons with
19 Disabilities, the Department of Juvenile Justice, the Department
20 of Children and Family Services, or the Agency for Health Care
21 Administration, all of which are authorized to license a
22 community residential home to serve residents, ~~as defined in~~
23 ~~paragraph (d).~~

24 (c) "Local government" means a county as set forth in
25 chapter 7 or a municipality incorporated under the provisions of
26 chapter 165.

27 (d) "Planned residential community" means a local
28 government-approved, planned unit development that is under
29 unified control, is planned and developed as a whole, has a
30 minimum gross lot area of 8 acres, and has amenities that are
31 designed to serve residents with a developmental disability as
32 defined in s. 393.063 but that may also provide housing options
33 for other individuals. The community shall provide choices with
34 regard to housing arrangements, support providers, and
35 activities. The residents' freedom of movement within and
36 outside the community may not be restricted. For the purposes of
37 this paragraph, local government approval must be based on
38 criteria that include, but are not limited to, compliance with
39 appropriate land use, zoning, and building codes. A planned
40 residential community may contain two or more community
41 residential homes that are contiguous to one another.

42 (e) ~~(d)~~ "Resident" means any of the following: a frail elder



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43 as defined in s. 429.65; a person who has a handicap ~~physically~~
44 ~~disabled or handicapped person~~ as defined in s. 760.22(7)(a); a
45 ~~developmentally disabled person~~ who has a developmental
46 disability as defined in s. 393.063; a nondangerous ~~mentally ill~~
47 person who has a mental illness as defined in s. 394.455-~~(18)~~; or
48 a child who is found to be dependent as defined in s. 39.01 or
49 s. 984.03, or a child in need of services as defined in s.
50 984.03 or s. 985.03.

51 (f) ~~(e)~~ "Sponsoring agency" means an agency or unit of
52 government, a profit or nonprofit agency, or any other person or
53 organization which intends to establish or operate a community
54 residential home.

55 (4) Community residential homes, including homes of six or
56 fewer residents which would otherwise meet the definition of a
57 community residential home, which are located within a planned
58 residential community are not subject to the proximity
59 requirements of this section and may be contiguous to each
60 other. A planned residential community must comply with the
61 applicable local government's land development code and other
62 local ordinances. A local government may not impose proximity
63 limitations between homes within a planned residential community
64 if such limitations are based solely on the types of residents
65 anticipated to be living in the community.